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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ADAM LOERA and MIGUEL DIAZ,
individually, and on behalf of other members of
the general public similarly situated;

Plaintiffs,

v.

TRUGREEN, INC., a Delaware corporation;
TRUGREEN LIMITED PARTNERSHIP, a
Delaware limited partnership; and DOES 1
through 100, inclusive,

Defendants.

SUDIPA BISTA and RICK ZURLO,
individually, and on behalf of aggrieved
employees pursuant to the Private Attorneys
General Act ("PAGA");

Plaintiffs,

v.

TRUGREEN, INC., a Delaware corporation;
TRUGREEN LIMITED PARTNERSHIP, a
Delaware limited partnership; and DOES 1
through 100, inclusive,

Defendants.

Case No.: 2:21-CV-01536-MCE-KJN

Consolidated with:
Case No. 2:21-CV-02339-MCE-KJN

Assigned to:
Honorable Morrison C. England, Jr.
Courtroom 7

**JOINT STIPULATION AND ORDER
GRANTING DISMISSAL OF ACTION**

Loera Complaint Filed: July 19, 2021
Removal Filed: August 26, 2021
Trial Date: None Set

Bista Complaint Filed: October 21, 2021
Removal Filed: December 17, 2021
Trial Date: None Set

1 Plaintiffs Adam Loera, Miguel Diaz, Sudipa Bista and Rick Zurlo (collectively,
2 “Plaintiffs”), individually, on behalf of other members of the general public similarly situated,
3 and on behalf of aggrieved employees pursuant to the Private Attorneys General Act (“PAGA”),
4 and Defendants TruGreen, Inc. and TruGreen Limited Partnership (“Defendants”), by and
5 through their respective counsel of record, hereby stipulate as follows:

6 WHEREAS, on May 31, 2022, the Parties attended mediation in this matter in an attempt
7 to settle the matter;

8 WHEREAS, in line with the Parties’ agreement to enter into a settlement, Plaintiffs
9 intend to voluntarily dismiss this action without prejudice pursuant to Federal Rules of Civil
10 Procedure, Rule 41(a)(1)(A)(ii);

11 WHEREAS, counsel for Plaintiffs and Defendant have met and conferred regarding the
12 dismissal of this action, and as a result, counsel for Defendant has agreed to stipulate to the
13 dismissal of the action;

14 IT IS HEREBY STIPULATED AND AGREED BY THE PARTIES HERETO,
15 THROUGH THEIR RESPECTIVE COUNSEL, AS FOLLOWS: Plaintiffs may voluntarily
16 dismiss this action.

17
18 Dated: June 23, 2022

FISHER & PHILLIPS LLP

19
20 By: /s/ Kristina Noel A. Buan

21 ROBERT YONOWITZ
22 JOHN A. MAVROS
23 KRISTINA NOEL A. BUAN
Attorneys for Defendants

24 Dated: June 23, 2022

JUSTICE LAW CORPORATION

25
26 By: /s/ Talia Lux

27 DOUGLAS HAN
28 SHUNT TATAVOS-GHARAJEH
TALIA LUX
Attorneys for Plaintiffs

ORDER

Pursuant to the above Stipulation and good cause appearing, the Court hereby GRANTS Plaintiffs' voluntary dismissal of this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). The Clerk of Court is directed to close the case.

IT IS SO ORDERED.

Dated: June 30, 2022



MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE